

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In re FIRSTENERGY CORP. SECURITIES  
LITIGATION

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) No. 2:20-cv-03785-ALM-KAJ  
)  
) CLASS ACTION

This Document Relates To:

ALL ACTIONS

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)  
) Judge Algenon L. Marbley  
) Magistrate Judge Kimberly A. Jolson  
)  
)

MFS Series Trust I, et al.,

Plaintiffs,

vs.

FirstEnergy Corp., et al.,

Defendants.

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) No. 2:21-cv-05839-ALM-KAJ  
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Brighthouse Funds Trust II – MFS Value  
Portfolio, et al.,

Plaintiffs,

vs.

FirstEnergy Corp., et al.,

Defendants.

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) No. 2:22-cv-00865-ALM-KAJ  
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**[PROPOSED] ORDER**

Before the Court is the parties' Joint Stipulation Regarding FirstEnergy's Motion to Stay the District Court's May 6, 2024 Opinion & Order (ECF 653) Pending the Sixth Circuit's Resolution of Its Petition for a Writ of Mandamus ("Stipulation"). Having reviewed the Stipulation and FirstEnergy's request therein to stay this Court's May 6, 2024 Order & Opinion pending resolution of the Petition for Writ of Mandamus filed by FirstEnergy Corp. in *In re FirstEnergy Corp.*, No. 24-3654 (6th Cir. July 29, 2024), ECF 1 (the "Mandamus Petition") and having reviewed and considered the Mandamus Petition and the briefs filed by amici curiae on August 2, 2024 and August 5, 2024 (which amicus briefs, Plaintiffs contend, were not authorized under the Federal Rules of Appellate Procedure or invited by the Sixth Circuit), the Court ORDERS as follows:

FirstEnergy's request to stay the Court's May 6, 2024 Order & Opinion pending the Sixth Circuit's resolution of the Mandamus Petition is [**GRANTED**] [**DENIED**].

IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE ALGENON L. MARBLEY  
UNITED STATES DISTRICT CHIEF JUDGE

DATED: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE KIMBERLY A. JOLSON  
UNITED STATES MAGISTRATE JUDGE